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a) said first "O"-ring and said first contiguous portion are disposed substantially traverse to the axis of rotation of said plug.

REMARKS

Applicant has canceled Claims 1-15 and added new Claims 16-23.

The Examiner had rejected the claims as being anticipated by Wurzbürger '890 or rendered obvious by Wurzbürger '890. Applicant asserts that the new claims are patentable over the cited reference and the art of record.

Applicant's claimed invention is not disclosed nor suggested by Wurzbürger. Applicant's second seal is disposed around the plug in a way not disclosed nor suggested by the reference. The second seal has a first contiguous portion that is disposed above the inlet and outlet openings and a second contiguous portion that loops down to a level below the inlet and outlet openings such that when the plug is turned to a closed position, either the inlet or the outlet opening would be disposed within a closed volume formed between the seals, the body and the plug, thereby isolating the inlet from the outlet.

In Wurzbürger, the "O"-ring 67 has its lowest portions above the outlet 16 and below the inlet 15 such that the outlet 16 cannot be within the region defined between the "O"-rings 56 and 67 when the valve is closed. The outlet 16 is always below the ring 67. Additionally, Wurzbürger does not teach disposing the second seal such that a portion thereof is above and the rest extending to below the inlet 15 and outlet 16. Wurzbürger teaches that the "O"-ring 67 "follows a cyclical path having peaks that extend alternately above and below one of the ports 15, 16, preferably inlet port 15. Corresponding increments of

different cycles of the path lie diametrically opposite each other. As a result, the path defines equal areas between itself and each of the end sealing "O"-rings 56, 57 at diametrically opposite portions of the plug surface. The areas on the upstream and downstream sides of the plug that can be acted upon by fluid pressure are thus equalized and the forces acting on the plug will be balanced." Column 3, lines 51-61. The "O"-ring 67 is disposed in a "sinuous annular groove 69 which completes two full repetitive cycles about the periphery of the plug." Col. 3, lines 66-68. Wurzbürger further teaches that the inlet 15 and outlet 16 are axially offset such that the symmetrical disposition of the ring 67 will be effective to isolate the inlet from the outlet when the valve is closed, as shown in Figure 2. Col. 2, lines 45-46.

Thus, Wurzbürger teaches that the ring 67 is disposed symmetrically around the plug so that the fluid forces acting on the plug in the upstream and downstream sides of the plug are equalized and that the inlet and outlet are offset accordingly. If the inlet and outlet were not offset but aligned instead, the valve will not work, since the inlet and outlet will not be isolated from each other.

Applicant's claimed invention, on the other hand, recites that the second seal is disposed asymmetrically around the plug such that a first portion thereof is disposed above the inlet and outlet openings and the remaining portion extends to below the openings. This advantageously allows either the inlet or outlet opening to be disposed within the closed volume when the valve is in the closed position.

In view of the above, since none of the references, either singly or in combination, teach or suggest Applicant's claimed invention, it is asserted that Claims 16-23 are patentable over

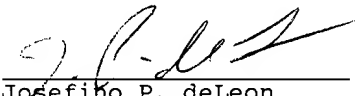
the cited reference and are asserted to be in condition for allowance. In re Fine, 5 USPQ2d 1958 (Fed. Cir. 1988).

Reconsideration of the rejection is respectfully requested and an early and favorable action is earnestly solicited.

Applicant hereby requests an extension of time through February 29, 1992, from the due date of November 30, 1991, in order to timely file this amendment. A check in the amount of \$405.00 is attached herewith for the extension fee.

It is believed that no additional fee is due; however, should that be incorrect, please debit our Deposit Account No. 19-2105 and inform the undersigned.

Respectfully submitted,


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